

REMARKS

Figure 1 is a high level schematic diagram of an embodiment of the invention. From the level of detail provided in the figure, the features of the invention are not distinguishable from the prior art. No prior art legend is applied to Figure 1 because it is used to describe the invention.

The rejection of claims 1 to 10 as being obvious over Snekkenes (US Pat. 6,086,717) is traversed.

The claims are directed to a lower chip conduit pipe having a first mode that connects to a top separator and a second mode that discharges chips directly into the digester vessel. The claims have been amended to make more clear that the “chip inlet conduit” is a single chip inlet passage that conveys chips to both a top separator and directly inside the vessel.

Snekkenes, col. 3, ln. 65-67, shows one chip conduit 21 that transports chips to a top separator. The Action points to “a supply line” that has no numerical designation or description in Snekkenes. It is unclear what this unidentified “line” is in Snekkenes. If it was intended to be a chip transport line, Snekkenes would have been expected to disclose it as a chip conduit and show the path of the chip transport from the impregnation vessel to this unidentified line in the plant schematic shown in Figure 1. In view of the ambiguity regarding Snekkenes, it should not be assumed that Snekkenes shows two chip slurry inlet supply lines.

The amended claims require the chip inlet conduit to have a single inlet pipe extending through the vessel that couples to a conduit to the chip conveyor and to a discharge directly to the vessel (separately from the chip conveyor). Even under the construction of Snekkenes stated in the Action, there is no showing in Snekkenes of a single inlet pipe extending through the vessel where the inlet pipe serves both chips flowing to a top separator and chips flowing directly into the vessel.

Snekkenes teaches away from the claimed invention in which a single conduit pipe is configured to connect to the top separator or to discharge to the vessel. Further, Snekkenes does not suggest the advantages of the invention that allows for relatively easy conversion of a digester vessel between vapor phase and hydraulic phase operations. See Paras. 0029 to 0037 of Application.

All claims are in good condition for allowance. If any small matter remains outstanding, the Examiner is requested to telephone applicants' attorney. Prompt reconsideration and allowance of this application is requested.

Keith VOGEL et al
Appl. No. 10/823,763
July 23, 2007

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Jeff Nelson/

Jeffrey H. Nelson
Reg. No. 30,481

JHN:glf
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100